THE HON'BLE MR. JUSTICE S. ANANDA REDDY

W.P.No. 9576 of 2005

Dated: August 18, 2005

Between:

K. Vincent, S/o. Rayappa, 59 yrs,

Retired Head Master, R/o. 21-519-7,

Laxmanaraopuram, Machilipatnam,

Krishna district.

…Petitioner

and

The District Educational Officer,

Krishna district at Machilipatnam

And another.

…Respondents

* * *

O R D E R:

This Writ Petition is filed by the petitioner aggrieved by the action of the 1st respondent in withholding the entire amount of his terminal benefits for which the petitioner is entitled.

2. According to the petitioner, he retired as Head Master of a private aided school on 30.04.2004. Though, as a consequence of his retirement he is entitled for the terminal benefits, but, however, as a result of certain orders of the Civil Court, attaching the terminal benefits to the extent of Rs.3,62,611/-, the respondents have withheld the entire amounts of his terminal benefits, even though the part of the amount does not the subject matter of attachment. Hence, the petitioner has come up with the present Writ Petition.

3. Heard the learned counsel for the petitioner and the learned Government Pleader for School Education and considered the material on record.

4. It is the case of the petitioner that he is entitled to the amount of his terminal benefits over and above the amount, which was attached. Therefore, the petitioner sought for a direction to the respondents. In view of the above stated facts, the respondents are directed to release and pay the amount to the petitioner, if the petitioner is entitled towards his terminal benefits in an amount over and above Rs.3,62,611/-, which was attached by virtue of the orders of the Civil Court. The said exercise is directed to be complied within a period of four weeks from the date of receipt of a copy of this order.

5. The Writ Petition is disposed of accordingly. No costs.

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S.Ananda Reddy, J.

18…08…2005

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